UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
v. DAVID TOVAR MONTOYA)))	NO. 3:10-00258 JUDGE CAMPBELI
	ORDER	

The sentencing hearing currently scheduled for February 1, 2013, is RESCHEDULED for May 13, 2013, at 1:00 p.m.

All motions for a departure or pursuant to <u>United States v. Booker</u>, 125 S.Ct. 738 (2005) must be filed at least five (5) days before the sentencing hearing.

In accordance with LCrR 32.01(c), at least seven (7) days prior to the sentencing date, the parties shall file a "Position of the (Government or Defendant) with Respect to Sentencing Factors," containing only unresolved objections to the Presentence Report. If the parties have no objections to the Presentence Report, they shall so indicate in their "Position" filed with the Court. The parties shall also serve a copy of their "Position" on the Probation Office upon its filing.

The Government shall not dispose of or forfeit any property seized in this case without prior order of the Court or until all direct appeals are fully exhausted.

It is so ORDERED.

TODD J. CAMPBELL

UNITED STATES DISTRICT JUDGE